

and wherein ~~[such that]~~ substantially all different polynucleotides in the plurality ~~[population]~~ are attached to different microparticles.

Please cancel claim 7.

8. (Twice amended) The composition of claim [7] 5 wherein said plurality ~~[population of said cDNAs has a size of from]~~ includes from ten to a hundred thousand cDNAs or DNA fragments.

9. (Twice amended) The composition of claim [7] 5 wherein tag complements are attached to each of said microparticles of said mixture and wherein each of said cDNAs or DNA fragments of said plurality ~~[population]~~ has an oligonucleotide tag attached such that perfectly matched duplexes are formed between the tag complements of said microparticles and the oligonucleotide tags of said cDNAs or DNA fragments.

REMARKS

Claims 5, 8, and 9 have been amended, and claim 7 has been canceled. Claims 1-6 and 8-13 are pending in the application.

Amendments to the specification add SEQ ID NO's where appropriate and replace the current Sequence Listing with a version that complies with the most recent rules.

Basis for the amendments to the claims are described in Applicant's communication of 17 May 2000. The only difference between the "once amended" claims 5, 8, and 9 of the 17 May 2000 communication and the "twice amended" claims 5, 8, and 9 of the present communication is the removal to the adjective "genomic" from the phrase "genomic DNA fragment," as the former does not expressly appear in the application.

No new matter has been added by the amendments. Reconsideration is respectfully requested.

Sequence Listing

In response to the Examiner's request that the Sequence Listing be put into conformance with 37 CFR 1.821(e), Applicant has amended the specification to add SEQ ID NO's and a revised Sequence Listing and has submitted a computer readable form of the revised Sequence Listing.

Rejection under 35 U.S.C. 112 Second Paragraph

The Examiner rejected claims 5, 6, 8, and 9 under 35 USC 112, first paragraph, for containing subject matter not described in the specification. In particular, the phrase "genomic DNA fragments" did not have express support in the application.

Applicant respectfully disagrees with the Examiner, particularly in view of the above amendments which remove the adjective "genomic" from the phrase. The term "DNA fragments" has clear support in the section of the specification subtitled "Parallel Sequencing" (column 21, line 53, to column 23, line 38), where shotgun cloning of DNA fragments from target polynucleotides in the preferred size range of 10-40 kilobases is described. Fragments of such size are clearly not "cDNA molecules." Further support is found in Example II (column 24, line 56, to column 27, line 28) where the fragmentation and sequencing of an SV40 genome is described.

Accordingly, Applicant respectfully requests that the above rejection be withdrawn.

In view of the above, Applicants submit that the claims as written fully satisfy the requirements of Title 35 of the U.S. Code, and respectfully request that the rejections thereunder be withdrawn and the claims be allowed.

If any additional time extensions are required, such time extensions are hereby requested. If any additional fees not submitted with this response are required, please take such fees from deposit account 12-2491.

Respectfully submitted,



Stephen C. Macevicz
Reg. No. 30,285
Attorney for Applicants

Telephone: (510) 670-9365

Attachments:

Declaration of Sequence Listing
3.5 inch diskette containing computer readable form of Sequence Listing
Petition for Time Extension with Fee Authorization